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## **VIA E-MAIL AND ECF**

Honorable Stuart M. Bernstein  
United States Bankruptcy Court  
Southern District of New York  
One Bowling Green  
New York, New York 10004

*Re: In re: Bernard L. Madoff Investment Securities LLC, Adv. Pro. No. 08-01789 (SMB)*

Dear Judge Bernstein:

We are counsel to Irving H. Picard, Esq., the Trustee for the substantively consolidated SIPA liquidation proceedings of Bernard L. Madoff Investment Securities LLC and the estate of Bernard L. Madoff. We write to follow up on a request from Chambers about the reasonable rate for the discovery arbitrator that we requested by letter of September 2, 2016.

We propose the appointed arbitrator's standard rate, less the public interest discount of 10%, the total of which is not to exceed \$1,000 per hour. We further request that the Court appoint a primary arbitrator and also a secondary arbitrator in the event that the primary arbitrator has a conflict in any given adversary proceeding.

We thank Your Honor for consideration of this request and await the Court's direction.

Respectfully,

*/s/ David J. Sheehan*

David J. Sheehan

cc: Karin S. Jenson (via email)  
Edward J. Jacobs (via email)